



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A constitutional body under Article 338A of the Constitution of India)

F.No NCST/SER-1641/TS/3/2024-SSW (RU-III)

Dated: - 21.02.2025

To,

1. The Chief Secretary,
Govt. of Telangana,
3rd Floor, Telangana Secretariat,
Hyderabad (Telangana)- 500022
Email Id: cs@telangana.gov.in,
Phone :- 040-23452620
2. The Principal Secretary
General Administration Department (GAD)
Govt. of Telangana
Secretariat, Hyderabad

Sub: Systematic violation of consequential seniority in promotions for ASOs - representation dated 24.08.2024 by Dr. Kalyan Nayak, BJP ST Morcha State President, Telangana.

महोदय/महोदया,

I am directed to enclose herewith a copy of the minutes of the sitting held on 10.02.2025 at 4:20 PM under the Chairmanship of Shri J. Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) at NCST HQ, New Delhi on the above mentioned subject for information.

Yours faithfully,

(एच .आर.मीना /H.R. Meena)

अनुसंधान अधिकारी / Research Officer

Phone -24641640

Copy for information:-

1. Dr Kalyan Naik,
H. No. 2-2-24/BU59, D D Colony,
Baghambertpet, Hyderabad (Telangana) - 500013
Mail: kayan.abvp@gmail.com, Mobile: 9331229999
2. PS to Hon'ble Member (JH), NCST
3. NIC, NCST for uploading on the website of the Commission.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

NCST/SER-1641/TS/3/2024-SSW

NCST/SER-1498/TS/8/2024-SSW

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi in the case of Dr Kalyan Nayak, BJP ST Morcha State President, Hyderabad, Telangana regarding non following of reservation rules by Govt. of Telangana.

Date of the Sitting: 10/02/2025, 04:20PM
Participants in the Sitting: As per Annexure

Dr. Kalyan Nayak, BJP ST Morcha State President, Telangana, vide his representation dated 24.08.2024, has stated that there has been a systematic violation of consequential seniority in promotions of SC/ST employees in the Telangana since the state's formation. He highlights that despite constitutional amendments and Supreme Court judgments upholding consequential seniority, the state government has failed to implement reservation in promotions appropriately. He refers to instances where SC/ST employees were denied their rightful promotions, particularly in the Departmental Promotion Committees (DPCs) post-2015, where ST vacancies were allocated to non-ST employees. Though the NCST intervened in 2019, leading to notional promotions in 2020, subsequent legal challenges led to a High Court directive in 2018 requiring quantifiable data collection before implementing reservation in promotions. The government's committee, chaired by Shri Rahul Bojja, IAS, reported compliance with rules, but in 2021, the state retrospectively revised promotion panels from 2014 under a new, arbitrary policy contradicting established laws, resulting in the reversion of 24 ST employees and undue promotions to non-SC/ST candidates. Dr. Nayak contends that this principle violates the 85th Constitutional Amendment and government orders, demanding immediate suspension of the revised panels and a fresh review by a committee of IAS officers, ensuring compliance with consequential seniority, and the nomination of an SC/ST officer in every DPC as per DoPT guidelines.

2. NCST issued notice to the Chief Secretary, Telangana vide NCST letter dated 14.11.2024 for seeking facts and comments within 30 days. The reply was not received from the concerned authority. Hence, NCST decided to discuss the issue with the authority and the petitioner on 10.02.2025. Accordingly, a Sitting Notice was sent on 31.01.2025.

3. The Chief Secretary, Govt. of Telangana vide letter no. 9648/SU.I/A1/2024 dated 8.2.2025 has sought exemption and deputed Resident Commissioner Telangana Bhawan, New Delhi to attend the sitting. In the letter it was also informed that the matter is pending before the Hon'ble High Court of Telangana and the matter is subjudice.

जाटोतु हुसेन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

4, In the sitting, the Resident Commissioner Telangana Bhawan, New Delhi and Secretary, Tribal Welfare, Govt. of Telangana and petitioner were present. The officers of Govt. of Telangana has reiterated the facts submitted by Chief Secretary, Govt. of Telangana and informed that the matter is subjudice with the Hon'ble High Court of Telangana and exempt Chief Secretary to Government of Telangana as the respondent in this case.

5. The petitioner reiterated his submission and requested for justice.

6. After the discussion with the officer of Govt. of Telangana and petitioner, it was observed that the action on part of NCST is not required, as the matter is subjudice with the Hon'ble High Court of Telangana. It is advised the State Govt. may initiate the appropriate action in the matter after receipt of the decision / order of the Hon'ble Court.

7. Chief Secretary to the Government is exempted and Principal Secretary, GAD (Services) is included as respondent.


(Jatothu Hussain)
Member

जाटोतु हुसेन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

List of participants of the sitting held on 10.2.2025 at 4:20 PM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST in the case of Dr. Kalyan Nayak, BJP ST Morcha State President, Hyderabad regarding Systematic violation of consequential seniority in promotions for ASOs

Sr. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Dr. P.K Reddy Director		
2.	NCST Officials		
II	<u>Govt. of Telangana</u>		
Sr. No.	Name and Designation	Address & Phone No.	Signature
	Gansav uppl	RC Telangan	Gansav
	DR. SHARATH	Secretary to Govt TW	Shr
III	<u>Petitioner</u>		
①	Dr. Kalyan	9331229999	Kalyan